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[< Return](#) [Incident Review](#) [Investigation](#)

Reporting Category

No Reporting Category entered.

Log No: 1063293 Type:U

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
1	FACE SHEET	N/A	-	-	-	BOWENS, DARREN	JUL-04-2013 14:06	-	-	-
2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	JUL-08-2013 12:39	-	-	-
3	CONFLICT CERTIFICATION	N/A	-	-	-	JONES, VINCENT	JUL-09-2013 09:03	-	-	-
4	TO/FROM REPORT	N/A	5	Preliminary Investigation	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:35	APPROVED	-	YES
5	REPORT (OTHER)	N/A	2	Diagram of Scene	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:35	APPROVED	-	YES
6	GENERAL OFFENSE CASE REPORT	N/A	3	RD# HW-347747	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:36	APPROVED	-	YES
7	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO Robert Gonzalez #12152	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:37	APPROVED	-	YES
8	OFFICERS BATTERY REPORT	N/A	2	PO Robert Gonzalez #12152	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:38	APPROVED	-	YES
9	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO George Hernandez #16231	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:38	APPROVED	-	YES
10	OFFICERS BATTERY REPORT	N/A	2	PO George Hernandez #16231	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:39	APPROVED	-	YES
11	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO Manuel Leano #4303	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:40	APPROVED	-	YES
12	OFFICERS BATTERY REPORT	N/A	2	PO Manuel Leano #4303	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:40	APPROVED	-	YES
13	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	RD# HW-347747; Aggravated Assault to a PO	YES	BRUMFIELD, LUCILLE	JUL-18-2013 09:41	APPROVED	-	YES
14	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	RD# HW-347747; Date approved: 07 July 2013; Morgue Report	YES	BRUMFIELD, LUCILLE	JUL-18-2013 09:42	APPROVED	-	YES
15	INVENTORY SHEET	N/A	18	-	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:44	APPROVED	-	YES
16	GENERAL OFFENSE CASE REPORT	N/A	2	RD# HW-348165	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:45	APPROVED	-	YES
17	DETECTIVE SUPPLEMENTARY REPORT	N/A	2	RD# HW-348165; Homicide, Justifiable Homicide	YES	BRUMFIELD, LUCILLE	JUL-18-2013 09:45	APPROVED	-	YES
18	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	7	Event #1318507980	YES	BRUMFIELD, LUCILLE	JUL-18-2013 09:46	APPROVED	-	YES
19	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	Event #1318508114	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:52	APPROVED	-	YES
20	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	Event #1318508319	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:53	APPROVED	-	YES
21	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	Event #1318508349	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:53	APPROVED	-	YES
22	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	Event #1318509386	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:54	APPROVED	-	YES

View	23	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	2	Event #1318510207	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:55	APPROVED -	YES
View	24	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	1	Event #1318512155	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:56	APPROVED -	YES
View	25	TO/FROM REPORT	N/A	1	Response to Stroger Hospital	-	BRUMFIELD, LUCILLE	JUL-18-2013 09:58	APPROVED -	YES
View	26	REPORT (OTHER)	N/A	3	POD map	YES	BRUMFIELD, LUCILLE	JUL-18-2013 09:59	APPROVED -	YES
View	27	REPORT (OTHER)	N/A	1	EMS Incidents Record Request Form for [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:00	APPROVED -	YES
View	28	AMBULANCE REPORT/SHEET	N/A	3	Patient: Unknown	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:00	APPROVED -	YES
View	29	TO/FROM REPORT	N/A	1	Response to Medical Examiner's Office	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:01	APPROVED -	YES
View	30	REPORT (OTHER)	N/A	1	Traffic Camera Request submitted via email	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:02	APPROVED -	YES
View	31	TO/FROM REPORT	N/A	1	Traffic Camera Request	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:03	APPROVED -	YES
View	32	CANVASS SHEETS	N/A	5	-	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:03	APPROVED -	YES
View	33	TO/FROM REPORT	N/A	1	Additional Information from Canvass	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:04	APPROVED -	YES
View	34	REPORT (OTHER)	N/A	2	IPRA Notice of Incident on or near Chicago Public School property	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:05	APPROVED -	YES
View	35	O.E.M.C. (OEMC) REQUEST/HOLD	N/A	1	Request for PDT Messages	YES	BRUMFIELD, LUCILLE	JUL-18-2013 10:06	APPROVED -	YES
View	36	O.E.M.C. (OEMC) REQUEST/HOLD	N/A	1	Request for 911 transmissions	YES	BRUMFIELD, LUCILLE	JUL-18-2013 10:06	APPROVED -	YES
View	37	CRIME SCENE PROCESSING REPORT	N/A	3	RD# HW-347747	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:07	APPROVED -	YES
View	38	REQUEST FOR PHOTOS	N/A	1	-	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:08	APPROVED -	YES
View	39	CRIME SCENE PROCESSING REPORT	N/A	1	-	YES	BRUMFIELD, LUCILLE	JUL-18-2013 10:08	APPROVED -	YES
View	40	REQUEST FOR PHOTOS	N/A	1	-	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:09	APPROVED -	YES
View	41	REPORT (OTHER)	N/A	1	Letter to Family of [REDACTED] c/o [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:10	APPROVED -	YES
View	42	REPORT (OTHER)	N/A	2	Law Enforcement Official's Request for Protected Health Information for John H. Stroger Hospital	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:11	APPROVED -	YES
View	43	REPORT (OTHER)	N/A	1	Letter to County of Cook Office of the Medical Examiner	YES	BRUMFIELD, LUCILLE	JUL-18-2013 10:12	APPROVED -	YES
View	44	PHOTOGRAPH	N/A	4	Medical Examiner photos	YES	BRUMFIELD, LUCILLE	JUL-18-2013 10:14	APPROVED -	YES
View	45	VIDEO RECORDING	N/A	1	Security Camera Video Disc Garden State Food & Liquor	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:16	APPROVED -	YES
View	46	TO/FROM REPORT	N/A	2	Observation of Security Video from Garden State Food & Liquor Store	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:17	APPROVED -	YES
View	47	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:20	APPROVED -	YES
View	48	AUDIO INTERVIEW	N/A	1	witness, [REDACTED]	YES	JONES, VINCENT	JUL-11-2013 11:00	APPROVED -	YES
View	49	INTERVIEW - WITNESS	N/A	19	Transcribed recorded statement of [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:23	APPROVED -	YES
View	50	SWORN AFFIDAVIT - NOT REQUIRED	N/A	1	[REDACTED] [REDACTED]	-	BRUMFIELD, LUCILLE	JUL-18-2013 10:24	APPROVED -	YES
View	51	REPORT (OTHER)	N/A	1	Compelled Statement Rights for PO Robert	-	BRUMFIELD,	JUL-18-	APPROVED -	YES

				Gonzalez #12152		LUCILLE	2013 10:26			
View	52	AUDIO INTERVIEW	N/A	1	Invovled member, PO Robert Gonzalez, #12152	YES	JONES, VINCENT	JUL-30- 2013 06:16	APPROVED -	YES
View	53	STATEMENT OF POLICE OFFICER	N/A	32	Transcribed recorded statement of PO Robert Gonzalez	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:46	APPROVED -	YES
View	54	REPORT (OTHER)	N/A	1	Compelled Statement Rights for PO Manuel Leano #4303	-	BRUMFIELD, LUCILLE	JUL-18- 2013 10:27	APPROVED -	YES
View	55	AUDIO INTERVIEW	N/A	1	witness, Officer Manuel Leano, #4303	YES	JONES, VINCENT	JUL-11- 2013 11:02	APPROVED -	YES
View	56	STATEMENT OF POLICE OFFICER	N/A	23	Transcribed recorded statement of PO Manuel Leano	-	BRUMFIELD, LUCILLE	JUL-18- 2013 10:29	APPROVED -	YES
View	57	REPORT (OTHER)	N/A	1	Compelled Statement Rights for PO Douglas #12415	-	BRUMFIELD, LUCILLE	JUL-18- 2013 10:31	APPROVED -	YES
View	58	AUDIO INTERVIEW	N/A	1	Witness, PO Douglas Nichols, #	YES	JONES, VINCENT	JUL-30- 2013 06:21	APPROVED -	YES
View	59	STATEMENT OF POLICE OFFICER	N/A	23	Transcribed recorded statement of PO Douglas Nichols	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:47	APPROVED -	YES
View	60	AUDIO INTERVIEW	N/A	1	witness, PO George Hernandez	YES	JONES, VINCENT	JUL-30- 2013 06:26	APPROVED -	YES
View	61	STATEMENT OF POLICE OFFICER	N/A	28	Transcribed recorded statement of PO George Hernandez	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:48	APPROVED -	YES
View	62	REPORT (OTHER)	N/A	29	OEMC MDT/Beat & Personnel Identification - PDT Messages	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:50	APPROVED -	YES
View	63	REPORT (OTHER)	N/A	2	Letter from Board of Education of the City of Chicago Law Department to IPRA Inv. Lukas	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:52	APPROVED -	YES
View	64	CERTIFIED MAIL RECEIPT	N/A	1	[REDACTED]	YES	BRUMFIELD, LUCILLE	SEP-17- 2013 12:52	APPROVED -	YES
View	65	CERTIFIED MAIL RECEIPT	N/A	1	John H. Stroger Hospital	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:53	APPROVED -	YES
View	66	CERTIFIED MAIL RECEIPT	N/A	1	Cook County Medical Examiner	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:54	APPROVED -	YES
View	67	REPORT (OTHER)	N/A	1	USPS Domestic return receipt to family of [REDACTED]	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:56	APPROVED -	YES
View	68	REPORT (OTHER)	N/A	1	USPS Domestic return receipt for John H. Stroger Hospital	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:57	APPROVED -	YES
View	69	REPORT (OTHER)	N/A	1	USPS Domestic return receipt for Cook County Medical Examiner	-	BRUMFIELD, LUCILLE	SEP-17- 2013 12:58	APPROVED -	YES
View	70	LETTER TO WITNESS	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:22	APPROVED -	YES
View	71	CERTIFIED MAIL RECEIPT	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:23	APPROVED -	YES
View	72	REPORT (OTHER)	N/A	1	USPS Domestic return receipt for [REDACTED]	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:25	APPROVED -	YES
View	73	VIDEO RECORDING	N/A	1	Crime Scene video disc Police involved shooting 5645 S. State St.	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:28	APPROVED -	YES
View	74	PHOTOGRAPH	N/A	116	ET photos of shooting scene/incident location, 5645 S. State St.	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:33	APPROVED -	YES
View	75	PHOTOGRAPH	N/A	10	ET photos of Officer Leano	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:33	APPROVED -	YES
View	76	PHOTOGRAPH	N/A	48	ET photos of Carter Elementary School 58th & Michigan	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:35	APPROVED -	YES
View	77	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	RD# HW-347747	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:36	APPROVED -	YES
View	78	DETECTIVE SUPPLEMENTARY REPORT	N/A	5	RD# HW-348165	-	BRUMFIELD, LUCILLE	SEP-17- 2013 14:37	APPROVED -	YES
View	79	DETECTIVE SUPPLEMENTARY	N/A	11	RD# HW-348165	-	BRUMFIELD, LUCILLE	SEP-17- 2013	APPROVED -	YES

View	80	REPORT ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	Lab case #C13-026647, RD #HW347747. Tests results for exhibit items #6, 7, 8, 9 & 10. Officer Gonzalez's duty weapon	YES	JONES, VINCENT	OCT-17- 2013 12:24	14:40	APPROVED -	YES
View	81	LETTER TO WITNESS	N/A	1	[REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:25	APPROVED -	YES	
View	82	POSTMORTEM REPORT	N/A	5	[REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:29	APPROVED -	YES	
View	83	REPORT (OTHER)	N/A	1	Results of Toxicologic Analyses	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:31	APPROVED -	YES	
View	84	CERTIFIED MAIL RECEIPT	N/A	1	[REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:32	APPROVED -	YES	
View	85	REPORT (OTHER)	N/A	2	Re: [REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:33	APPROVED -	YES	
View	86	TO/FROM REPORT	N/A	1	Conversation with John Stroger Hospital Medical Records Section	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:35	APPROVED -	YES	
View	87	TO/FROM REPORT	N/A	1	Attempt to Interview Witness. [REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:36	APPROVED -	YES	
View	88	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:39	APPROVED -	YES	
View	89	AUDIO INTERVIEW	N/A	1	witness, [REDACTED]	YES	JONES, VINCENT	NOV-19- 2013 08:37	APPROVED -	YES	
View	90	INTERVIEW - WITNESS	N/A	18	Transcribed recorded statement of [REDACTED]	-	BRUMFIELD, LUCILLE	DEC-18- 2013 15:23	APPROVED -	YES	
View	91	SWORN AFFIDAVIT - NOT REQUIRED	N/A	1	[REDACTED]	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:39	APPROVED -	YES	
View	92	ALCOHOL AND DRUG TEST OIS FORMS/RESULTS	N/A	18	Synoptic Report-Firearms Discharge Incident (With Hits)	-	CULBERSON HAYNE, ANGELA	NOV-27- 2013 12:42	APPROVED -	YES	
View	93	REPORT (OTHER)	N/A	1	USPS domestic return receipt for [REDACTED] -	-	BRUMFIELD, LUCILLE	DEC-18- 2013 15:24	APPROVED -	YES	
View	94	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	1	Lab case #C13-026647, RD #HW347747, examination results for exhibit items #2, 3, 4 & 5. No suitable latent impressions found.	YES	JONES, VINCENT	DEC-30- 2013 09:01	APPROVED -	YES	
View	95	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	7	Summons #2013L014041	YES	JONES, VINCENT	FEB-18- 2014 09:20	APPROVED -	YES	
View	96	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	RD #HW347747, Exc. Cleared Closed (Other Exceptional)	YES	JONES, VINCENT	SEP-29- 2014 06:44	APPROVED -	YES	
View	97	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	Lab case #C13-026647, RD #HW347747, examination results for exhibit items #2, 3, 4 & 5. Recovered pistol was operable.	YES	JONES, VINCENT	SEP-30- 2014 01:07	APPROVED -	YES	
View	98	POD CD	N/A	1	POD #4052, 5601 S. Michigan Ave, No observation report written for this POD. This POD is three block away from where the police involved shooting occurred. No video related to the police involved shooting was captured.	YES	JONES, VINCENT	SEP-30- 2014 01:58	APPROVED -	YES	
View	99	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	264C foot pursuit and police involved shooting of a black male wearing a white t-shirt and blue short	YES	JONES, VINCENT	SEP-30- 2014 01:40	APPROVED -	YES	
View	100	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	female caller named Victoria calling from Stroger hospital about her brother, [REDACTED] being shot	YES	JONES, VINCENT	SEP-30- 2014 01:41	APPROVED -	YES	
View	101	INVESTIGATOR CASE LOG	N/A	5	-	YES	JONES, VINCENT	SEP-30- 2014 01:59	APPROVED -	YES	
View	102	CONFLICT CERTIFICATION	N/A	1	Sup Alexis Amezaga	YES	JONES, VINCENT	DEC-08- 2014 08:53	APPROVED -	YES	
View	103	CONFLICT CERTIFICATION	N/A	-	-	-	BECKNEK, ANTHONY	DEC-20- 2017 16:11	-	-	
View	104	CONFLICT CERTIFICATION	N/A	-	-	-	HAYNAM, MATTHEW	DEC-21- 2017 16:39	-	-	
View	105	CONFLICT CERTIFICATION	N/A	-	-	-	BROWN, CHENESE	JUN-25- 2018 12:54	-	-	

View	106 SUPPLEMENTAL SUMMARY REPORT	N/A	9	Supplemental Summary Report	YES	WESTENSEE, JAY	FEB-13-2019 09:56	APPROVED -	YES
View	- SUMMARY REPORT	N/A	8	Summary Report for U# 13-26 by Inv. Vincent Jones	NO	ANDO, SCOTT	JAN-30-2015 15:39	APPROVED -	YES

row(s) 1 - 107 of 107

Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents TIP Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

Log No./Tracking No.	Type	Comments
78505	RELATED - TACTICAL RESPONSE REPORT RD No.HW347747 - Event No.1318507980 - CB No.	
78506	RELATED - TACTICAL RESPONSE REPORT RD No.HW347747 - Event No.1318507980 - CB No.	
78507	RELATED - TACTICAL RESPONSE REPORT RD No.HW347747 - Event No.1318507980 - CB No.	

row(s) 1 - 3 of 3

Status History TIP Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/Detailed Unit	Comments
RE-CLOSED AT C.O.P.A.	13-FEB-2019 10:00	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	JW
CLOSED/FINAL	13-FEB-2019 09:59	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	See attached Supplemental SRI
PENDING INVESTIGATION	11-SEP-2018 17:08	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	Draft SRI previously provided to DC Westensee provided to DC Hearts-Glass for review on 9/11/18
PENDING INVESTIGATION	29-JUL-2018 17:02	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING ASSIGN INVESTIGATOR	29-JUL-2018 17:02	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING INVESTIGATION	29-JUL-2018 17:01	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING SUPERVISOR REVIEW	29-JUL-2018 17:00	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING C.O.P.A. COORDINATOR REVIEW	12-JUL-2018 15:47	BECKNEK, ANTHONY	SUPERVISING INVESTIGATOR		113 / -	-
PENDING INVESTIGATIVE REVIEW	25-JUN-2018 12:54	BROWN, CHENESE	INVESTIGATOR 3 COPA		113 / -	-
PENDING INVESTIGATION	04-JUN-2018 17:41	BECKNEK, ANTHONY	SUPERVISING INVESTIGATOR		113 / -	-
PENDING INVESTIGATION	30-MAR-2018 09:28	BECKNEK, ANTHONY	SUPERVISING INVESTIGATOR		113 / -	-
PENDING ASSIGN INVESTIGATOR	23-JAN-2018 08:54	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN TEAM	23-JAN-2018 08:52	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATION	20-DEC-2017 16:11	BECKNEK, ANTHONY	SUPERVISING INVESTIGATOR		113 / -	-
PENDING ASSIGN INVESTIGATOR	18-DEC-2017 12:15	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	-
PENDING ASSIGN TEAM	18-DEC-2017 12:13	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	JH
PENDING C.O.P.A. COORDINATOR REVIEW	18-DEC-2017 12:05	DOMAIN, ALEXANDRA	CLERK 3		113 / -	-
RE-OPENED AT C.O.P.A.	18-DEC-2017 11:32	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	JH
RE-OPENED AT C.O.P.A.	18-DEC-2017 11:32	DOMAIN, ALEXANDRA	CLERK 3		113 / -	-
RE-OPENED AT C.O.P.A.	18-DEC-2017 11:32	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR		113 / -	JH
CLOSED/FINAL	30-JAN-2015 15:39	ANDO, SCOTT	ADMIN. IN CHARGE COPA		113 / -	-
CLOSED AT C.O.P.A.	30-JAN-2015 15:37	ANDO, SCOTT	ADMIN. IN CHARGE COPA		113 / -	-
PENDING C.O.P.A. COORDINATOR REVIEW	08-DEC-2014 13:59	SERIO, ALEXIS	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	08-DEC-2014 08:53	JONES, VINCENT	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	05-DEC-2014 17:50	SERIO, ALEXIS	SUPERVISING INV COPA		113 / -	-
PENDING INVESTIGATIVE REVIEW	01-OCT-2014 00:26	JONES, VINCENT	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	15-JAN-2014	STOUTENBOROUGH,	SUPERVISING INV		113 / -	-

PENDING ASSIGN INVESTIGATOR	16:31 15-JAN-2014	ANDREA	COPA		113 / -	-
PENDING INVESTIGATION	08-JUL-2013 15:43	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	08-JUL-2013 15:40	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN TEAM	08-JUL-2013 15:40	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	08-JUL-2013 15:40	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PRELIMINARY	08-JUL-2013 15:38	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	Christian (not Christopher)
PENDING INVESTIGATION	08-JUL-2013 12:40	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	08-JUL-2013 12:36	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN TEAM	08-JUL-2013 12:36	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	08-JUL-2013 12:36	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PRELIMINARY	08-JUL-2013 12:34	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	typos
PENDING ASSIGN TEAM	05-JUL-2013 15:07	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR		113 / -	-
PENDING SUPERVISOR REVIEW	05-JUL-2013 15:05	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR		113 / -	-
PRELIMINARY	04-JUL-2013 22:08	GOODWIN, JEANNE	INVESTIGATOR 2 COPA		113 / -	-
PRELIMINARY	04-JUL-2013 20:01	GOODWIN, JEANNE	INVESTIGATOR 2 COPA		113 / -	-
PRELIMINARY	04-JUL-2013 19:39	GOODWIN, JEANNE	INVESTIGATOR 2 COPA		113 / -	-
PRELIMINARY	04-JUL-2013 19:35	GOODWIN, JEANNE	INVESTIGATOR 2 COPA		113 / -	-
PRELIMINARY	04-JUL-2013 14:06	BOWENS, DARREN	INVESTIGATOR 2 COPA		113 / -	-

row(s) 1 - 45 of 45

Command Channel Reviewers

No Command Channel Reviewers have been assigned.

SUPPLEMENTARY SUMMARY REPORT OF INVESTIGATION¹**I. EXECUTIVE SUMMARY**

Date of Incident:	July 4, 2013
Time of Incident:	1:42 P.M.
Location of Incident:	5645 S. State Street, Chicago, IL
Date of IPRA Notification:	July 4, 2013
Time of IPRA Notification:	2:06 P.M.

On December 18, 2017, the above log was reopened by the Civilian Office of Police Accountability (COPA) for the purpose of reviewing documents, discovery and depositions from *Patricia Green v. City of Chicago et al.*, Case No. 13 L 014041. The case was originally opened by the Independent Police Review Authority (IPRA) after the fatal officer involved shooting of [REDACTED] on July 4, 2013. The case was closed at IPRA on January 30, 2015. IPRA found the officer involved shooting of [REDACTED] to be within policy.

Although *Patricia Green v. City of Chicago et al.*, Case No. 13 L 014041, was filed on December 13, 2013, none of the documents, discovery or depositions in the case were referenced or reviewed during IPRA's investigation. On April 18, 2017, after a jury trial in the Circuit Court of Cook County Law Division before Judge Elizabeth Budzinski, the Plaintiff, [REDACTED] as administrator of the estate of [REDACTED] was awarded \$350,000 in damages.² COPA reviewed the litigation materials generated prior to the jury trial seeking to determine whether any of the officers made inconsistent statements during the course of their depositions during the pendency of the litigation, or if any new, credible witnesses surfaced that had information relative to the fatal officer involved shooting death of [REDACTED]. During this reevaluation, COPA also reviewed the original summary report and the documents relied upon therein that served as a basis for the original findings.

After a thorough review, COPA has determined that additional investigative steps should not be taken, nor should involved officers be presented with allegations of misconduct. Information and evidence obtained since the original investigation's conclusion is summarized below. This COPA Supplemental Summary report does not repeat information contained in the original summary report.

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² The verdict in the civil lawsuit does not impact COPA's findings in this case.

II. INVOLVED PARTIES

Involved Officer #1:	Robert Gonzalez, Star #12152, Employee # [REDACTED] DOA: December 14, 1998, Police Officer, 002, DOB: [REDACTED] [REDACTED] Male, Hispanic
Involved Individual #1:	[REDACTED] DOB: [REDACTED] Male, Black

III. APPLICABLE RULES AND LAWS

General Orders

Chicago Police Department General Order, G03-02-03; Deadly Force

Federal Laws

Graham v. Connor, 490 U.S. 386, 397 (1989)

State Laws

Illinois State Statute 720 ILCS 5/7-5 (1986)

IV. INVESTIGATION³

- a. Depositions taken pursuant to the case of *Patricia Green v. City of Chicago et al.*, Case No. 13 L 014041⁴

Department Members:⁵

Though **Officer Gonzalez** provided additional information during his deposition, his statements are materially consistent with his prior testimony and reports. Officer Gonzalez stated that his police vehicle was stopped when he took all eleven shots, and he was inside his police vehicle when he fired all eleven shots. According to Officer Gonzalez, he fired his weapon because [REDACTED] was in possession of a gun and that gun was pointed at him and his partner. He also alleged that he was attempting to aim at [REDACTED] center mass area. Officer Gonzalez believed that [REDACTED] had the gun in his hand when Officer Gonzalez fired every shot at [REDACTED]. Officer Gonzalez stated that at the time he discharged his weapon, [REDACTED] was pointing the barrel of the gun that he had in his hands in the direction of Officer Gonzalez. Officer Gonzalez did not recall announcing his

³ COPA conducted a thorough and complete investigation. The following is a summary of new material evidence gathered and relied upon in our analysis.

⁴ The depositions in this case, of both officers and witnesses, were not reviewed or investigated by IPRA.

⁵ All involved officers were interviewed by detectives and their interviews are contained in the case supplementary report (RD#HW348165), their interviews are consistent with their prior statements to IPRA and depositions.

office, but he did tell [REDACTED] to drop the gun numerous times. Officer Gonzalez estimated that he fired at [REDACTED] from an estimated distance of 25 feet but agreed it could have been a little farther. Officer Gonzalez further agreed that the distance may have increased from shot 1 through 11. Officer Gonzalez also reiterated that he did not know the exact positioning of [REDACTED] as he fired, but instead was entirely focused on the barrel of [REDACTED] gun which he alleged was pointed at him. Officer Gonzalez stated that he was focused on the upper portion of [REDACTED] body which was "silhouetted" behind the barrel of a gun pointed in his direction. Officer Gonzalez fired at [REDACTED] because of this threat. After Officer Gonzalez saw [REDACTED] drop to the ground, Officer Gonzalez ceased firing his weapon.

Though **Officer Nichols** provided additional information during his deposition, his statements are consistent with his prior testimony and reports. Officer Nichols first observed [REDACTED] at the school standing with other teenagers. [REDACTED] kept looking at the officers and separating himself from the rest of the group. [REDACTED] started to flee, and Officer Nichols gave chase in his unmarked vehicle. Officer Leano got out the vehicle and gave chase on foot. Officer Nichols lost sight of [REDACTED] for a second, but regained sight of him and his partner in the middle of the block between Wabash Street and State Street. Officer Nichols proceeded to 57th Street and State Street and slowed down his vehicle. At this point, Officers Hernandez and Gonzalez passed him on 57th Street and State Street, also in an unmarked vehicle. Officers Hernandez and Gonzalez proceeded northbound on State Street and Officer Nichols proceeded right behind them in his vehicle. Officer Nichols went around them and parked at the State Street edge of the vacant lot. Officer Nichols saw [REDACTED] running in the vacant lot holding a gun. Officer Nichols believed that [REDACTED] was pointing the gun at Officers Gonzalez and Hernandez. Officer Nichols then heard multiple gunshots and saw [REDACTED] stumble. Officer Nichols then exited his vehicle and followed [REDACTED] into the vacant lot. Officer Nichols ran eastbound into the vacant lot. Officer Nichols saw [REDACTED] collapse, and he placed him in handcuffs, did a protective pat down and called for EMT.

Though **Officer Leano** provided additional information during his deposition, his statements are consistent with his prior testimony and reports.⁶ Officer Leano first noticed the butt of a gun when [REDACTED] was running from him right before the alley. [REDACTED] attempted to pull the gun out of his right waistband. Officer Leano lost sight of [REDACTED] when [REDACTED] ran onto State Street. Officer Leano heard somebody say drop the gun. Officer Leano did not see a gun in [REDACTED] hand when he was in the vacant lot. Officer Leano did not see [REDACTED] being shot; he heard the shots and saw [REDACTED] stumble. Officer Leano did not see [REDACTED] point a gun at anybody.

Though **Officer Hernandez** provided additional information during his deposition, his statements are consistent with his prior testimony and reports. The first time he saw [REDACTED] was when he was cutting through the lot behind the liquor store. Officer Hernandez did not see [REDACTED] try to throw the gun away. Officer Hernandez came to a complete stop when [REDACTED] started cutting east into the vacant lot. [REDACTED] was running away but pointing a gun in the officers' direction. At some point [REDACTED] dropped the gun, but Officer Hernandez does not know exactly when that was in relation to the shots being fired by Officer Gonzalez. According to Officer Hernandez, [REDACTED] tried to pick the gun up. Officer Hernandez told him not to pick up the gun. [REDACTED] attempted to

⁶ Officer Leano was wearing a red shirt under a black CPD bulletproof vest at the time of the incident. File materials do not reflect the shirt colors of other involved members.

reach for the weapon but could not grab it. [REDACTED] then kept moving forward toward the alley. After [REDACTED] fell to the ground, Officer Nichols placed him into custody.

Civilians:

[REDACTED] was deposed and indicated she was present for the officer involved shooting of [REDACTED] but was standing a block away on the corner of 57th Street and Wabash Avenue. [REDACTED] further indicated that [REDACTED] was her daughter's best friend. [REDACTED] saw [REDACTED] running on State Street past the liquor store into the field near 57th Street and State Street. [REDACTED] did not see [REDACTED] stop in the vicinity of the liquor store and pick anything up. [REDACTED] could see [REDACTED] hands; his left hand was holding his pants up and his right hand was free. [REDACTED] observed an unmarked car turn west onto 57th Street from State Street. [REDACTED] heard some yelling and then heard gunshots but did not have a vantage point of the incident. [REDACTED] last saw [REDACTED] when he entered the vacant lot at 57th Street and State Street as officers pursued. [REDACTED] did not believe [REDACTED] was a threat to the police. [REDACTED] never saw him point a weapon at the officers.⁷

[REDACTED] was deposed and indicated that she was also present for the officer involved shooting of [REDACTED]. [REDACTED] was outside barbequing when she heard sirens and saw [REDACTED] running toward her direction. [REDACTED] had a vantage point from her [REDACTED] apartment at [REDACTED]. [REDACTED] direction of travel was northbound through the alley between Wabash and State Street. [REDACTED] first saw [REDACTED] running from the police in the alley near 57th Street, approximately a half a block from State Street. [REDACTED] was being chased by a blue and white police vehicle. [REDACTED] never saw [REDACTED] run at any point in time on State Street during the incident. [REDACTED] did not see any police officers chasing [REDACTED] on foot. [REDACTED] ran down the alley and began to cut through a field, heading towards State Street. An unmarked Chicago police vehicle jumped a curb on State Street and drove into the field, stopping somewhere in the middle of the field. [REDACTED] looked back at the vehicle and attempted to change his path of direction. [REDACTED] stated that [REDACTED] had nothing in his hands and was running like a track runner with his hands balled up. She did not see [REDACTED] possess a weapon. [REDACTED] saw [REDACTED] turn around while fleeing but believed he did so to see how close the vehicle chasing was behind him. She did not see [REDACTED] point anything towards the officers.

The passenger officer in the unmarked police vehicle that jumped the curb on State Street started to fire at [REDACTED] and [REDACTED] was hit in the back. [REDACTED] described the shooting officer as Mexican. Officers approached [REDACTED] after the shooting. One officer, not the shooting officer, stepped on [REDACTED] back while another officer handcuffed him. The officers were cursing at [REDACTED] while he was on the ground.⁸

[REDACTED] was sure that [REDACTED] never ran by, or in front of, the liquor store on the corner of 57th Street and State Street.

[REDACTED] deposition was consistent with his prior statement to IPRA.

⁷ [REDACTED] was not previously identified as a witness in IPRA's original investigation of the incident.

⁸ [REDACTED] was identified as a witness in IPRA's original investigation of the incident, though [REDACTED] declined to sit for an interview.

[REDACTED] deposition was consistent with his prior statement to IPRA and the affidavit identified below.

b. Affidavits of Witnesses⁹

[REDACTED] affidavit indicated that she was on the back porch of her residence at [REDACTED] when she witnessed the officer involved shooting. [REDACTED] saw an officer shoot [REDACTED] in the back. [REDACTED] was running away from the officer when he was shot in the back. [REDACTED] did not have anything in his hands when he was shot, and at no time did [REDACTED] see [REDACTED] in possession of a gun. [REDACTED] did not see [REDACTED] turn towards the officers or in any way threaten the officers. [REDACTED] saw a Latino officer in a red shirt and black vest shoot [REDACTED] as [REDACTED] was running away. She saw the same officer flip over [REDACTED] body after he fell to the ground.

[REDACTED] affidavit indicated that on the day of the incident she was at [REDACTED] cooking on the back patio. She was with her daughter-in-law [REDACTED] saw a white male officer in the passenger seat of a police vehicle shooting out the window of the vehicle. The male officer was wearing a red shirt. [REDACTED] indicated that the officers who exited the police vehicle occupied by the officer that shot at [REDACTED] did not fire their weapons while outside of that police vehicle. [REDACTED] indicated that when the officer fired at [REDACTED] back was facing the officers. [REDACTED] never observed a gun in [REDACTED] hands or anywhere around him. [REDACTED] yelled from her balcony toward the officers, “[D]on’t plant no gun on him either.”¹⁰

[REDACTED] affidavit indicated that on the day of the incident he was on 57th Street between Wabash Avenue and State Street. He was in a backyard cooking. He observed a police officer chasing [REDACTED] on foot. The officer was a male Latino wearing a red jacket. [REDACTED] indicated that [REDACTED] was running toward Wabash Avenue. The officer shot [REDACTED] when [REDACTED] back was turned toward the officer. [REDACTED] observed nothing in [REDACTED] hands. [REDACTED] never pointed a gun at a police officer. The pursuing officer shot at [REDACTED] three times and [REDACTED] fell to the ground. [REDACTED] got up and attempted to flee again, but at this point two additional officers pulled up in a marked SUV, got out of their vehicle and began shooting at [REDACTED]. Martin was 30-50 feet from the shooting and nothing was blocking his view. [REDACTED] never saw [REDACTED] with a gun, and never saw the officers pick up a firearm off the ground.

[REDACTED] affidavit indicated that on the day of the incident she was on her porch at [REDACTED]. Before the incident, she was walking towards 57th Street from her home when she saw [REDACTED] running north on State Street. [REDACTED] indicated that there was nothing in [REDACTED] hands. [REDACTED] was holding his baggy pants up with his left hand, and nothing was in his right hand. [REDACTED] heard a gunshot and ran back to her porch. [REDACTED] heard 6-7 gunshots while on her porch but did not witness the shooting.

⁹ The affidavits of witnesses were produced by Plaintiff’s counsel in the litigation and not reviewed or investigated by IPRA.

¹⁰ [REDACTED] mother-in-law, passed before being able to sit for a deposition.

c. Expert Reports¹¹

The Plaintiff, [REDACTED] obtained an expert in the case of *Patricia Green v. City of Chicago et al.*, Case No. 13 L 014041. The expert, Dennis Waller, drafted a report for the litigation. Waller indicated that the placement of the [REDACTED] gunshot wound, to the left spine on [REDACTED] back, proceeding through and through in a relatively level manner exiting to the right and below the left nipple of his chest, is inconsistent with [REDACTED] turning to the right and pointing a gun at Officer Gonzalez. Waller opined that the wound path refutes the contention that, at the time he was shot, [REDACTED] turned to the right and pointed a gun directly at Officer Gonzalez. Further, Waller opined that the location of the entrance wound, and subsequent wound track is consistent with an individual being shot in the back as he is running directly away. Specifically, Waller indicated that the wound is inconsistent with Officer Gonzalez's statements, "I believe at the time that I was firing my weapon that he had a gun in his hand, and he was pointing it at me while I was firing" and, "He [REDACTED] was running away but pointing the gun in our direction." Waller opined that Officer Gonzalez was not in rational fear of imminent death or great bodily harm to himself or others at the time he fired eleven shots because [REDACTED] was running away. He also opined that it was likely that [REDACTED] dropped the gun long before he was shot as the gun was found approximately 77 feet from [REDACTED] body.

The Defendant, City of Chicago, obtained an expert in the case of *Patricia Green v. City of Chicago et al.*, Case No. 13 L 014041. The expert, Emanuel Kapelsohn of the Peregrine Corporation, drafted a report for the litigation. Kapelsohn did a walk-through of the scene with Officers Gonzalez and Hernandez, test fired Officer Gonzalez's weapon for accuracy, and electronically timed Officer Gonzalez firing a series of rapid shots from his firearm. Kapelsohn opined that Officer Gonzalez's decision to fire at [REDACTED] was appropriate for a variety of reasons. First, he indicated that although [REDACTED] was running away, [REDACTED] turned and pointed the gun in the direction of Officer Gonzalez (as indicated by Officers Gonzalez, Hernandez and Nichols), and that "a gun that a suspect has pointed well away from the officer, such as with the gun's muzzle pointed straight upward, straight downward, or 90 degrees to the right or the left of the officer, can be brought to bear on the officer and fired in a quarter of a second (0.25 seconds) or less." Further, it was clearly determined, through videotape and officer testimony, that [REDACTED] did in fact have a firearm in his possession when he entered the vacant lot.

The timed series of rapid shots revealed that, at most, it took 1.24 seconds for Officer Gonzalez to fire all eleven shots. As such, Kapelsohn opined that Officer Gonzalez shot immediately after [REDACTED] presented a threat by pointing the weapon in his direction. Officer Gonzalez fired only the amount of times necessary to end the threat by firing at the "center mass" of [REDACTED] and his silhouette, while focusing on the "barrel of the gun." Kapelsohn opined that [REDACTED] being shot in the back does not disprove Officer Gonzalez's account because a human can rotate a full 180 degrees in about 0.5 seconds. It would have taken Officer Gonzalez as much time or more to react to the perceived threat. As such, the account of Officer Gonzalez, that the suspect was running away when he slightly turned around and pointed the firearm in the direction of officers, is consistent with the medical examiner's report that [REDACTED] was shot in the middle of the back with a through and through which did not have an angle either downward or upward in trajectory. Kapelsohn concluded that, "In the time it would take Officer Gonzalez to raise his own

¹¹ Expert reports were explicitly part of the litigation and not previously explored by IPRA.

service pistol and begin firing, [REDACTED] would have likely changed position and angle of his body as he ran—perhaps even changing it several times.”

IV. ANALYSIS/CONCLUSION¹²

Pursuant to our review of materials not considered in IPRA’s original investigation of this incident, though additional detail was probed during depositions due to new or more specific questioning, COPA has determined that the involved and witness officers provided testimony not inconsistent with their prior statements, including those provided to IPRA. Furthermore, pursuant to a review of deposition testimony and affidavits provided by witnesses, three of whom were not previously interviewed by IPRA, COPA has determined that additional investigation into the facts and circumstances surrounding the officer involved shooting is not merited.

Credibility of Witnesses:

[REDACTED] and [REDACTED] were identified as witnesses pursuant to the litigation, but not previously discussed or identified by IPRA. [REDACTED] recalled a series of events leading up to the officer involved shooting which was largely consistent with the accounts of officers and other witnesses. However, [REDACTED] account diverges in that she claims not to have observed [REDACTED] with a firearm, which is controverted by available video evidence depicting [REDACTED] with a firearm in the moments [REDACTED] would have observed [REDACTED]. [REDACTED] did not observe the moments surrounding Officer Gonzalez’s firearm discharge.

Both [REDACTED] and [REDACTED] claim not to have observed [REDACTED] with a firearm as he was being pursued by officers. [REDACTED] provided deposition testimony as to [REDACTED] path of flight inconsistent with that of other witnesses, involved officers, and other independent video evidence.

[REDACTED] however, indicated she observed an officer fire upon an unarmed [REDACTED]. Credibility is called into question because she would have had a similar vantage point to that of Williams. Furthermore, photos taken on the date of the incident depict a tree line that more likely than not, would have obscured [REDACTED] and [REDACTED] view of the shooting incident.

[REDACTED] was sitting on his back porch when he saw a black male run past the liquor store and into the street, before turning around and picking up something from the sidewalk (later verified as a gun through independent video evidence). The male continued to run northbound on State Street holding his right side. [REDACTED] then heard a vehicle’s engine and saw a gray SUV pull up with an officer hanging out the window with his gun drawn yelling “drop it, drop it.” The male then ran past a line of trees in the vacant lot and [REDACTED] heard gunshots but did not see the shooting. [REDACTED] is the most accurate of the eyewitnesses based on the independent video evidence that depicts a majority of the incident.

¹² While this Supplemental Summary Report of Investigation does not re-state all of the evidence contained in the original Summary Report of Investigation, the analysis, by necessity, takes all of that evidence into consideration when reaching the following conclusions. This analysis should not be interpreted as relying on the evidence contained in the investigative section of this document alone.

Martin indicated that he was barbequing when he saw an officer chasing a young man. The officer chasing the young man was wearing a red shirt and fired three times at the young man as he ran into the vacant lot. According to Martin, the young man was hit in the leg, then maybe the back. He attempted to get up after he fell to the ground, but two additional officers got out of a police vehicle and began firing at the young man. According to Martin, the young man did not have a gun. Martin's testimony and affidavit are inconsistent with the independent video evidence and ballistic evidence.

Analysis of Expert Testimony:

The Plaintiff's expert opines that the officers' account is inconsistent because the wound is one that is consistent with being shot in the back while running away. He further opined that [REDACTED] dropped the gun long before he was shot as the gun was found approximately 77 feet from [REDACTED] body.

The Defendants' expert opined that Officer Gonzalez's decision to fire at [REDACTED] was appropriate because, although [REDACTED] was running away, [REDACTED] turned and pointed the gun in the direction of Officer Gonzalez (as indicated by Officers Gonzalez, Hernandez and Nichols), and that, in the time it would have taken for Officer Gonzalez to fire, [REDACTED] could have turned toward, pointed his weapon, and then turned away from Officer Gonzalez. Kapelsohn explained that it would have taken Officer Gonzalez as much time or more to react to the perceived threat. Therefore, the account of Officer Gonzalez, that the suspect was running away when he slightly turned around and pointed the firearm in the direction of officers, is consistent with the medical examiner's report that [REDACTED] was shot in the middle of the back with a through and through which did not have an angle either downward or upward in trajectory.

The expert testimony in this case, coupled with questions of credibility surrounding inconsistent witness statements, is not so compelling as to suggest that additional investigation into the facts and circumstances of the incident would result in a finding that Officer Gonzalez's use of force was outside of Chicago Police Department policy at the time.

In conclusion, COPA's review of materials not considered in IPRA's original investigation of this incident does not dictate that additional investigative steps be taken, nor involved officers be presented with allegations of misconduct. Therefore, this matter should be closed and IPRA's original conclusion remain unchanged.

Approved:



Sydney R. Roberts

2/13/19

Date

Appendix A

Assigned Investigative Staff

Squad#:	15
Investigator:	Chenese Brown
Supervising Investigator:	Anthony Becknek
Deputy Chief Administrator:	Jay Westensee

28 September 2014

TO: Chief Administrator
Independent Police Review Authority

FROM: Investigator Vincent L. Jones, #141

SUBJECT: Log #1063293/U#13-26

LOCATION: 5645 South State Street, Chicago, Illinois

REFERENCE: RD #HW347747/HW348165/Event #1318507980
Aggravated Assault/Peace Officer

INVOLVED OFFICER: GONZALEZ, Robert; Star #12152, Employee No. [REDACTED] M/H, Unit 002;
DOB: [REDACTED] DOA: 14 December 1998; On Duty, Civilian Dress.

INVOLVED OFFICER'S WEAPON: Sig Sauer; Semi Automatic 9 MM; Model 226, 4 inch barrel, SER
#U663258; Chicago Registration #630997, FOID #83621039. Fired (11)
rounds, Department Issued Ammunition.

INVOLVED OFFICER'S INJURIES: None Sustained.

WITNESS OFFICER #1: LEANO, Manual; Star #4303, Employee No. [REDACTED] M/A, Unit 002; DOB:
[REDACTED] DOA: 26 March 2001; On Duty, Civilian Dress.

WITNESS OFFICER'S #1 INJURIES: None Sustained.

WITNESS OFFICER #2: NICHOLS, Douglas; Star #12415, Employee No. [REDACTED] M/W, Unit 002;
DOB: [REDACTED] DOA: 24 February 2003; On Duty, Civilian Dress.

WITNESS OFFICER'S #2 INJURIES: None Sustained.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1063293

U #13-26

WITNESS

OFFICER #3: HERNANDEZ, George; Star #16231, Employee No. [REDACTED] M/H, Unit 002; DOB: [REDACTED] DOA: 27 March 2006; On Duty, Civilian Dress.

WITNESS

OFFICER'S #3 None Sustained.

INJURIES:

SUBJECT: [REDACTED] M/B, DOB: [REDACTED] [REDACTED]
Chicago, Illinois

SUBJECT'S

WEAPON: Smith & Wesson; Model Chief's Special; .45 caliber Semi-Automatic Pistol; 3 inch barrel; Serial Number Obliterated;
Recovered in the vacant lot at 5645 South State Street

SUBJECT'S

INJURIES: Fatal gunshot wound to the back.

DATE/TIME

OF INCIDENT: 04 July 2013, approximately 1342 hours.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1063293

U #13-26

SUMMARY OF INCIDENT:

This investigation, in conjunction with information gained through the investigation initiated by the Chicago Police Department, revealed the following.

On 04 July 2013, Officer Douglas Nichols, #12415 (Driver Officer) and Officer Manuel Leano, #4303 (Passenger Officer) assigned to Beat #264C were in the area of Carter Elementary School, located at 5740 S. Michigan Avenue, when they observed the subject, now known as [REDACTED] Mr. [REDACTED] was standing at the north end of the playground, located on the east side of the school. Officer Nichols and Officer Leano observed Mr. [REDACTED] grab the right side of his waistband and turn away from the officers. The officers made a left turn onto Michigan Avenue and then turned into the parking lot behind Carter Elementary School. Mr. [REDACTED] fled on foot westbound through the parking lot and around the front of the school. The officers pursued Mr. [REDACTED] in their unmarked squad car. As the officers rounded the corner to the front of the school, they observed Mr. [REDACTED] run through an opening in the gate and proceed westbound across Wabash. The opening of the gate was too small for the officers' squad car to fit through, so Officer Leano exited the squad car and began to pursue Mr. [REDACTED] on foot.

Mr. [REDACTED] ran westbound across Wabash and into a vacant lot between 5724 and 5734 S. Wabash. As Mr. [REDACTED] continued to flee westbound, he pulled out a semi-automatic pistol from his waistband. When Mr. [REDACTED] reached the alley, he turned right and ran northwest to the intersection of 57th and State Street. Officer Leano continued to pursue Mr. [REDACTED] on foot and was approximately twenty feet behind him. As Mr. [REDACTED] got closer to the intersection of 57th and State Street, he ran in front of the front building occupying Garden State Liquors and Food, located at 5701 S. State Street, where Officer Leano lost sight of him.

As Mr. [REDACTED] approached the intersection of 57th and State Street, he attempted to throw the weapon he was holding into an open trash can. Mr. [REDACTED] then rounded the corner and attempted to flee east on 57th Street. When Mr. [REDACTED] rounded the corner, he observed Officer Nichols coming towards him in his unmarked squad car on 57th Street. Mr. [REDACTED] turned around, retrieved his weapon from the ground near the trash can, ran across 57th Street and continued north on State Street.

Officer George Hernandez, #16321 (Driver Officer) and Officer Robert Gonzalez, #12152 (Passenger Officer) assigned to Beat #264B responded to the area of 57th and State Street to assist Beat #264C. Beat #264B traveling northbound on State Street, pulled alongside of Mr. [REDACTED] announced their office and ordered Mr. [REDACTED] to "drop the gun." Mr. [REDACTED] turned right and headed eastbound through a vacant lot. Mr. [REDACTED] then turned toward the officers in Beat #264B, raised his right hand and pointed the weapon toward the officers. Officer Gonzalez, who was seated inside the squad car, discharged his weapon eleven times, striking Mr. [REDACTED] once.

Mr. [REDACTED] dropped the weapon and then staggered east through the vacant lot. Mr. [REDACTED] then turned back towards the weapon, as to retrieve it again, but collapsed under a tree just west of the alley. Mr. [REDACTED] was transported to John Stroger Hospital where he was later pronounced dead.

INDEPENDENT POLICE REVIEW AUTHORITY

Log #1063293

U #13-26

INVESTIGATION:

Department Reports, the Tactical Response Reports (TRR) and the Officers' Battery Reports (OBR), all provided information that is consistent with the statements given by the involved officer, witness officers and witness, [REDACTED] (Atts. 8, 9, 10, 11, 12, 13, 78, 79)

The OEMC and PCAD Reports were collected and made part of this investigation. An analysis of said documents showed no information that is inconsistent with the facts as related by the involved officers, witness officers and witness, [REDACTED] (Atts. 18, 19, 21-24, 99-100)

The Chicago Fire Department Incident Detail Report documented that paramedics responded to treat an unknown 19 year old African American gunshot victim at 5648 S. State Street. The patient was found unresponsive in a vacant field with a gunshot wound to the chest below the heart. The patient was found without a pulse, not breathing with fixed and dilated pupils. The patient was classified as dead on arrival. (Att. #28)

According to John Stroger Hospital of Cook County, the hospital had no record of treatment for [REDACTED]. During a telephone conversation with the hospital's Medical Release of Information Department, the R/I was informed that there are no medical records for Mr. [REDACTED] because he arrived at the hospital dead on arrival, he was not treated by any hospital personnel and he was pronounced dead by an Investigator from the Cook County Medical Examiner's Office. (Atts. #85-86)

A Canvass of the area of the incident was conducted in an attempt to locate additional witnesses and/or evidence. No additional witnesses or additional evidence were located. (Att. #32)

Crime Scene Processing Reports and Evidence Technician Photographs documented Officer Manuel Leano, #4303, the crime scene, and Carter Elementary School's play lot and parking lot. (Atts. #37, 39, 74-76)

Video footage from security cameras located at the Garden State Food & Liquor store at 5701 S. State Street captured a black male; now known as [REDACTED] running northbound on State Street toward the intersection of 57th and State Street. As Mr. [REDACTED] ran past a trash can located on the sidewalk near the intersection of 57th and State Street, Mr. [REDACTED] attempted to throw a dark colored handgun into the trash can. The handgun struck the side of the trash can and fell onto the sidewalk. Mr. [REDACTED] who had continued running into the intersection of 57th and State Street, stopped in the street, turned around, ran back to where the handgun had fallen, picked up the handgun and continued to run northbound across the intersection on State Street from 57th Street. As Mr. [REDACTED] ran across 57th Street, a dark colored unmarked Ford Crown Victoria was observed driving westbound on 57th Street and made a right turn onto State in the

¹ [REDACTED] was observed with braided hair wearing a pair of blue shorts, a white t-shirt, and a pair of white gym shoes.

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direction of where Mr. [REDACTED] was running. A dark colored unmarked Chevy Tahoe was observed driving northbound on State Street through the intersection of 57th and State Street in the direction of where Mr. [REDACTED] was running. Mr. [REDACTED] changed direction and ran eastbound across a grassy lot. The unmarked Crown Victoria made a right turn and drove eastbound onto what appeared to be an unpaved lot. The unmarked Chevy Tahoe stopped on the street by the grassy lot and an unknown officer was observed exiting the Chevy Tahoe running in the direction of where Mr. [REDACTED] ran.

The video footage captured a plainclothes officer, now known as Officer Manuel Leano, #4303 on foot running northbound on State Street approaching 57th Street. Officer Leano appeared to be in pursuit of Mr. [REDACTED]. Officer Leano ran across 57th Street toward the grassy lot where the Mr. [REDACTED] ran. As the Officer Leano ran eastbound on an angle across 57th Street, Officer Leano was observed raising his left hand/arm and pointing what appeared to be a gun in the direction that Mr. [REDACTED] ran.

Mr. [REDACTED] ran out of the view of the camera. The officer that exited the Chevy Tahoe ran out of the camera view. Officer Leano ran out of the view of the camera. (Atts. #45-46)

According to the **Board of Education of the City of Chicago Law Department**, the William W. Carter Elementary School did not have video surveillance in the area where the incident occurred. (Att. #63)

Illinois State Police Division of Forensic Service Laboratory Report dated 17 September 2013, documents that the firearm belonging to Officer Robert Gonzalez was examined, test fired and found to be in firing condition. (Att. #80)

Illinois State Police Division of Forensic Service Laboratory Reports dated 16 December 2013 and 25 February 2014, documents that the pistol containing one live cartridge and one magazine with five live cartridges recovered from [REDACTED] was inventoried under Inventory #12945858. The test revealed that the recovered pistol was operable. However, the test did not reveal any latent impressions suitable for comparison. (Atts. #94 & 97)

The Postmortem Examination Report from the Cook County Office of the Medical Examiner for [REDACTED] classified Mr. [REDACTED] death as a homicide as a result of a gunshot wound to the back. (Att. #82)

The Toxicologic Analyses from the Cook County Office of the Medical Examiner for [REDACTED] indicates that Mr. [REDACTED] blood test was negative for Benzoylecgonine, Ethanol and Opiates. (Att. #83)

In a statement to IPRA on 04 July 2013, witness, [REDACTED] stated that he was sitting on his porch when observed a black male wearing a white t-shirt, blue shorts with dreadlocks running northbound on State Street near 57th Street. The black male ran passed the liquor store at the corner of 57th and State Street and into the middle of the street at 57th Street. The black male then stopped, turned around, ran back southbound to the sidewalk, reached down

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and picked up something from the sidewalk. The black male then continued running northbound on State Street. Mr. [REDACTED] stated that he then heard police cars coming. He observed an officer in a gray SUV hanging out of the window with his gun in his hand. He heard the officer tell the black male that was running "Drop it." When the black male ran past a line of trees on a vacant lot, he heard gun shots. Mr. [REDACTED] stated that he did not see who fired the gun shots because once he saw the police officer in the SUV and heard the officer say "Drop it," he began to move backwards into his doorway. (Atts. #48-49)

In a statement to IPRA on 08 November 2013, witness, [REDACTED] stated that he was standing in the alley between State Street and Wabash at 57th Street. He observed an officer wearing a red shirt and black vest chasing a young man. The young man ran through a vacant lot and jumped the railing near 57th and State Street. The officer wearing the red shirt then fired three shots at the young man as the young man ran by the trees on the vacant lot. The officer wearing the red shirt shot the young man once in the leg and then once in the back.² After the young man fell, he tried to get up again, that's when two more officers got out of their "marked blue and white" SUV and started shooting at the young man. Mr. [REDACTED] said that the young man did not have a gun when he was shot by the police. Mr. [REDACTED] related that he heard, prior to the shooting, that the young man was at the Carter School, where he did have a gun, but he threw the gun away and one of the young man's associates got the gun. Mr. [REDACTED] also stated that the young man's mother came to him with a lawyer and that he gave a statement to the lawyer. (Atts. #89-90)

Attempts to interview witness, [REDACTED] were unsuccessful. Ms. [REDACTED] refused to give a statement to IPRA in relation to this investigation. (Atts. #33 & 87)

In a statement to IPRA on 05 July 2013, Involved Officer Robert Gonzalez, #12152 provided his account of this event in a manner consistent with the Department Reports, witness officers and the Summary contained within this report. Officer Gonzalez added that he believes he fired his gun 8-10 times at [REDACTED] after Mr. [REDACTED] pointed a gun at Officer Gonzalez. Officer Gonzalez said he stopped firing his gun after the threat had diminished when he observed that Mr. [REDACTED] had been shot and collapsed. Officer Gonzalez stated that he had no option but to fire his gun because he felt like he was going to be killed. (Atts. # 52-53)

In a statement to IPRA on 04 July 2013, witness, Officer Douglas Nichols, #12415 provided his account of this event in a manner consistent with the Department Reports, witness officers, witness [REDACTED] and the Summary contained within this report. Officer Nichols added that he drew his weapon when he exited his vehicle but he reholstered his weapon when he placed [REDACTED] in custody. (Atts. #58-59)

In a statement to IPRA on 04 July 2013, witness, Officer Manuel Leano, #4303 provided his account of this event in a manner consistent with the Department Reports, witness officers, witness [REDACTED] and the Summary contained within this report. Officer Leano

² There is no evidence indicating that the officer wearing the red shirt, now known as Officer Manuel Leano, #4303 discharged his weapon. Also, there is no evidence indicating that Mr. [REDACTED] sustained a gun shot wound to his leg.

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added that he never went near the body of [REDACTED] As he ran through the vacant lot toward Mr. [REDACTED] body, he observed the black semi-automatic handgun on the ground, so he stayed with the handgun. (Atts. #55-56)

In a statement to IPRA on 04 July 2013, witness, Officer George Hernandez, #16231 provided his account of this event in a manner consistent with the Department Reports, witness officers, witness, [REDACTED] and the Summary contained within this report. (Atts. #60-61)

CONCLUSION AND FINDINGS:

This investigation found that the use of deadly force by Officer Robert Gonzalez was in compliance with Department policy. According to the Chicago Police Department's General Order 02-08-03, II:

- A "A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:
- 1 to prevent death or great bodily harm to the sworn member or to another person, or;
 - 2 to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
 - a has committed or has attempted to commit a forcible felony which involved the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;
 - b is attempting to escape by use of a deadly weapon or;
 - c otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

The actions of Officer Robert Gonzalez were in accordance with the conditions set forth in the Chicago Police Department's deadly force policy. Video footage clearly show [REDACTED] [REDACTED] was in possession of a handgun and, based on the statements of Officer Gonzalez and other witnesses, [REDACTED] refused and failed to comply with Officer Gonzalez's verbal directions to drop the handgun. [REDACTED] actions placed Officer Gonzalez in imminent fear of great bodily harm or death to himself and his partner.

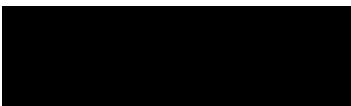
Based on the totality of the circumstances and the Chicago Police Department Use of Force Model, Officer Gonzalez's actions were justified and reasonable to prevent death or great bodily harm to himself and his partner.

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Signatures Only:



RJY

Investigator  Vincent L. Jones, #141



#022

Supervisor, IPRA 



Chief Administrator, IPRA 